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->From the Editor's Keyboard   "Saying it like it is!"
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Unfortunately, I'm finding myself running out of time to get this week's
issue out within a reasonable amount of time. So, rather than delay any
longer with some commentary, I'll just make my apologies, and pu this
issue to bed!

Until next time...

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->In This Week's Gaming Section - Nintendo Loses $457 Million!
  """"""""""""""""""""""""""""""   Nintendo Says 'No' to Virtual Equality!
                                    Carmack Accused of Theft!
                                    And more!

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->A-ONE's Game Console Industry News   - The Latest Gaming News!
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        Nintendo Loses $457 Million As Wii U Sales Slow to A Crawl

Nintendo has posted a loss of $457 million, or 46.4 billion yen, for its
fiscal year - making it the third year in a row of losses for the
beleaguered company.

Nintendo revised down its annual sales estimate for Wii U from 9 million
to 2.8 million back in January. But in the end, it sold just 2.72 million
units in the fiscal year that ended March 31. Lifetime sales stand at
6.17 million. This stands in stark contrast to Sony's PlayStation 4,
which - despite only being on the market just over six months compared
with the Wii U's 18 months - has sold over 7 million units.

Despite such slow growth for the Wii U, Nintendo forecasts an operating profit of $394 million (40 billion yen) for the year ending March 31, 2015. The company is forecasting 3.6 million Wii U sales in its current fiscal year. It expects 3DS sales to decline slightly to 12 million units.

Nintendo Says 'No' to Virtual Equality in Life Simulator Game

Nintendo isn't allowing gamers to play as gay in an upcoming life simulator game.

The publisher of such gaming franchises as "The Legend of Zelda" and "Mario Bros." said Tuesday it wouldn't bow to pressure to allow players to engage in romantic activities with characters of the same sex in English editions of "Tomodachi Life." This follows a social media campaign launched by fans last month seeking virtual equality for the game's characters, which are modeled after real people.

"Nintendo never intended to make any form of social commentary with the launch of 'Tomodachi Life,'" Nintendo of America Inc. said in a statement. "The relationship options in the game represent a playful alternate world rather than a real-life simulation. We hope that all of our fans will see that 'Tomodachi Life' was intended to be a whimsical and quirky game, and that we were absolutely not trying to provide social commentary."

Tye Marini, a gay 23-year-old Nintendo fan from Mesa, Arizona, launched the campaign last month, urging Kyoto, Japan-based Nintendo Co. and its subsidiary Nintendo of America Inc. to add same-sex relationship options to English versions of the hand-held Nintendo 3DS game.

The game was originally released in Japan last year and features a cast of Mii characters Nintendo's personalized avatars of real players living on a virtual island. Gamers can do things like shop, visit an amusement park, play games, go on dates and encounter celebrities like Christina Aguilera and Shaquille O'Neal.

"I want to be able to marry my real-life fiancØ's Mii, but I can't do that," Marini said in a video posted online that attracted the attention of gaming blogs and online forums this week. "My only options are to marry some female Mii, to change the gender of either my Mii or my fiancØ's Mii or to completely avoid marriage altogether and miss out on the exclusive content that comes with it."

"Tomodachi Life" has been a hit in a Japan, where Nintendo said last December it had sold 1.83 million copies of the game.

The English-language packaging for "Tomodachi Life"   "tomodachi" means "friend" in Japanese   proclaims: "Your friends. Your drama. Your life." A trailer for the game boasts that players can "give Mii characters items, voices and personalities, then watch as they rap, rock, eat doughnuts and fall in love."

However, only characters of the opposite sex are actually able to flirt, date and marry in the game, which is set for release June 6 in North America and Europe.

"It's more of an issue for this game because the characters are supposed to be a representation of your real life," Marini said Tuesday in a telephone interview. "You import your personalized characters into the game. You name them. You give them a personality. You give them a voice. They just can't fall in love if they're gay."

The issue marks not only a cultural divide between Japan, where gay marriage is not legal, and North America and Europe, where gay marriage has become legal in some places, but also in the interactive world, where games are often painstakingly "localized" for other regions, meaning characters' voices and likenesses are changed to suit different locales and customs.

"The ability for same-sex relationships to occur in the game was not part of the original game that launched in Japan, and that game is made up of the same code that was used to localize it for other regions outside of Japan," Nintendo noted in an emailed statement.

While many English-language games don't feature gay characters, several role-playing series produced by English-speaking developers, such as "The Sims," ''Fable" and "The Elder Scrolls," have allowed players to create characters that can woo characters of the same sex, as well as marry and have children. Other more narrative-driven games, like "Grand Theft Auto IV," ''The Last of Us" and "Gone Home," have included specific gay, lesbian and bisexual characters.

"We have heard and thoughtfully considered all the responses," Nintendo said of the #Miiquality campaign. "We will continue to listen and think about the feedback. We're using this as an opportunity to better understand our consumers and their expectations of us at all levels of the organization."

Marini isn't calling for a boycott of "Tomodachi Life" but instead wants supporters to post on Twitter and Facebook with the hashtag #Miiquality, as well as write to Nintendo and ask the company to include same-sex relationships in an update to "Tomodachi Life" or in a future installment.

He noted Wednesday in response to Nintendo's statement that excluding same-sex relationships in the game is a form of "social commentary."

"I would hope that they recognize the issue with the exclusion of same-sex relationships in the game and make an effort to resolve it," Marini said. "Until then, Miiquality will continue to raise awareness of the issue."

Nintendo Sorry for Exclusion of Same-sex Relationships in Tomodachi Life

Nintendo publicly apologized Friday for failing to include a same-sex relationship option in its life simulator game, Tomodachi Life. But what many fans were asking for - the inclusion of the option in an update to the 3DS handheld title - is definitively off the table.

"We apologize for disappointing many people by failing to include same-sex relationships in Tomodachi Life. Unfortunately, it is not possible for us to change this game's design, and such a significant development change can't be accomplished with a post-ship patch,"

Nintendo said in a statement on the company's website.

Nintendo originally said yesterday, in an interview with the Associated Press, that it would not cave in to pressure and alter Tomodachi Life. Instead, the Japanese gaming giant plans to be more mindful for future installments in the series.

"We pledge that if we create a next installment in the Tomodachi series, we will strive to design a game-play experience from the ground up that is more inclusive, and better represents all players," the statement, a terse five-sentence paragraph, concluded.

Tomodachi Life, which uses virtual representations of players call Mii avatars, was released in Japan in April of last year for the Nintendo 3DS system, where it has since sold 1.83 million copies. The game is expected to see a North America and Europe release - the first ever release in the series to leave Japan - on June 6. Tomodachi Life lets players personalize their avatar, shop, ride amusement park rides, and go on dates with and marry in-game characters as well as other real-life players' avatars, as long as that character is of the opposite sex.

The rare public admission of fault from Nintendo, which did not carry an author name and was titled simply "We are committed to fun and entertainment for everyone," comes after weeks of harsh criticism for Tomodachi Life's failure to represent the reality of Nintendo's customer base. After all, games series like The Sims, Elder Scrolls, Fable, and Mass Effect - all popular life simulator or role-playing series - allow same-sex relationships and even marriages in some cases.

LGBT advocacy group GLAAD called Nintendo's exclusion of same-sex relationships an outdated and harmful stance for a life simulator. More vocal, however, was a widespread social media campaign from Tye Marini, a gay 23-year-old resident of Mesa, Ariz., who - instead of calling for a Tomodachi Life boycott - asked that supporters tweet with the hashtag #Miiquality and ask Nintendo to update the title to be more inclusive to Western players.

"I want to be able to marry my real-life fiance's Mii, but I can't do that," Marini said in an online video posted to Vimeo. "My only options are to marry some female Mii, to change the gender of either my Mii or my fiance's Mii or to completely avoid marriage altogether and miss out on the exclusive content that comes with it."

Nintendo, in its interview with the AP, expressed that it was attempting not to replicate reality, but to create an alternate world that just so happened to draw heavily from realistic aspects of daily life, like engaging in heterosexual relationships. Notably, gay marriage is not legal in Japan.

"Nintendo never intended to make any form of social commentary with the launch of Tomodachi Life," a Nintendo of America representative said. "The relationship options in the game represent a playful alternate world rather than a real-life simulation. We hope that all of our fans will see that Tomodachi Life was intended to be a whimsical and quirky game, and that we were absolutely not trying to provide social commentary."

When asked by the AP about Marini's campaign, Nintendo gave a measured response. "We have heard and thoughtfully considered all the responses," the company said. "We will continue to listen and think about the

feedback. We're using this as an opportunity to better understand our
consumers and their expectations of us at all levels of the
organization."

Though today's pledge to be more inclusive in future Tomodachi titles was
one aspect of many in Marini's and others' demands, it represents a
half-measure on Nintendo's part. The reticence with which the company
shot down an update to Tomodachi Life may not only affect sales of the
popular 3DS title in Western markets, but also prove to be a thorn in
its side as the 3DS becomes a stronger part of its business.

Nintendo is increasingly placing its financial fortunes in the strength
of handheld hardware and software sales - the company announced its third
annual loss of $457 million earlier this week mostly attributed to the
Wii U console's poor sales. Series like Tomodachi Life and their promise
of Nintendo's brand of quirky fun may stumble worldwide when subscribing
to one set of beliefs.

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->A-ONE Gaming Online   -   Online Users Growl & Purr!
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John Carmack's Former Employer Claims He Stole Tech for Oculus VR When He Left

The man who co-created Doom, who co-founded id Software, and who later
left id Software for Oculus VR, is being accused by his former employer
of taking intellectual property with him to Oculus VR. Lawyers for id
Software's parent company, Zenimax Media, sent claims to Oculus VR
stating, "It was only through the concerted efforts of Mr. Carmack,
using technology developed over many years at, and owned by, ZeniMax,
that [Oculus founder] Mr. Luckey was able to transform his garage-based
pipe dream into a working reality." The Wall Street Journal obtained
copies of the correspondence.

Oculus denies Zenimax's claim. The company provided the following
statement:

"It's unfortunate, but when there's this type of transaction, people come
out of the woodwork with ridiculous and absurd claims. We intend to
vigorously defend Oculus and its investors to the fullest extent."

Update: John Carmack took to Twitter to respond, where he said, "No work
I have ever done has been patented. Zenimax owns the code that I wrote,
but they don't own VR."

Zenimax confirmed to Engadget that it sent claims to Oculus' legal folks
and offered us this (lengthy) statement:

"ZeniMax confirms it recently sent formal notice of its legal rights to
Oculus concerning its ownership of key technology used by Oculus to
develop and market the Oculus Rift. ZeniMax's technology may not be
licensed, transferred or sold without ZeniMax Media's approval. ZeniMax's

intellectual property rights arise by reason of extensive VR research and development works done over a number of years by John Carmack while a ZeniMax employee, and others. ZeniMax provided necessary VR technology and other valuable assistance to Palmer Luckey and other Oculus employees in 2012 and 2013 to make the Oculus Rift a viable VR product, superior to other VR market offerings.??The proprietary technology and know-how Mr. Carmack developed when he was a ZeniMax employee, and used by Oculus, are owned by ZeniMax. Well before the Facebook transaction was announced, Mr. Luckey acknowledged in writing ZeniMax's legal ownership of this intellectual property. It was further agreed that Mr. Luckey would not disclose this technology to third persons without approval. Oculus has used and exploited ZeniMax's technology and intellectual property without authorization, compensation or credit to ZeniMax. ZeniMax and Oculus previously attempted to reach an agreement whereby ZeniMax would be compensated for its intellectual property through equity ownership in Oculus but were unable to reach a satisfactory resolution. ZeniMax believes it is necessary to address these matters now and will take the necessary action to protect its interests."

To be completely clear, Zenimax is claiming that John Carmack took software with him to Oculus VR that he developed while still an employee at id Software (owned by Zenimax). As such, Zenimax's laywers are telling Oculus' lawyers to either work out a licensing deal or prepare for a legal battle.

Further, Zenimax claims that Oculus VR founder Palmer Luckey "acknowledged in writing" that certain, unspecified property belonged to Zenimax. The quote also says that Zenimax attempted to work out compensation with Oculus and "was unable to reach a satisfactory conclusion."

It's unclear if the case will proceed to a formal legal process, but neither side sounds very friendly at the moment.

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A-ONE's Headline News
The Latest in Computer Technology News
Compiled by: Dana P. Jacobson

 The FCC s New Net Neutrality Proposal Is Already Ruining The Internet

It may seem melodramatic to say that the future of the Internet in the United States was put in jeopardy earlier this year when a U.S. Appeals court killed net neutrality. Unfortunately, it is not melodramatic at all.

Net neutrality rules had been put in place to ensure that Internet service providers and other related entities treat all data as equal without giving preferential treatment to large companies that might otherwise be able to pay extra for faster connections.

Since January when the United States Court of Appeals for the District of Columbia struck down net neutrality laws that had been put in place in 2010, we have already seen things begin to change for the worse.

A brief glimmer of hope emerged last month when the FCC announced that it would try to bring net neutrality back from the dead, but hope quickly turned into outrage when people realized that the FCC s new net neutrality proposal appears to be designed specifically to ensure that the Internet is not neutral.

Is the FCC s new proposal really as bad as it seems? According to a new report, the new guidelines are already ruining the Internet despite the fact that they re still far from becoming law.

MIT Technology Review on Wednesday issued a report that really is quite horrifying.

In a nut shell, the report notes that the mere possibility that the FCC s new net neutrality proposal will pass is causing venture capital firms to stop funding startups with services that rely on fast Internet connections for videos, music or other services. The fear is that such companies may need to pay a ransom to large ISPs in the future, and those fees could dramatically impact their profitability.

Pause for a moment to consider how truly terrible this situation is. The next YouTube, Vimeo, Spotify or Pandora might never come to be, simply because the company s founders were unable to secure funding in a world where the little guy can get squeezed out by big companies ready and willing to pay for faster connections.

From MIT Technology Review s report:

The cable industry says such charges are sensible, especially when a few large content providers like Netflix can take up a large fraction of traffic. But if deep-pocketed players can pay for a faster, more reliable service, then small startups face a crushing disadvantage, says Brad Burnham, managing partner at Union Square Ventures, a VC firm based in New York City. This is absolutely part of our calculus now, he says.

Burnham says his firm will now stay away from startups working on video and media businesses. It will also avoid investing in payment systems or in mobile wallets, which require ultrafast transaction times to make sense. This is a bad scene for innovation in those areas, Burnham says of the FCC proposal.

Net Neutrality And You - It s a Big Deal

Net neutrality seems like it would be just what it says, a neutral Internet. While that's the basic concept, there's a lot more to it when you hear the phrase bandied about on podcasts and news programs. It's a complicated issue, one that Senator Al Franken earlier on Wednesday called the free speech issue of our time. He's not far off.

Part of the issue is the goal of pro-Net Neutrality people to keep "Internet access" synonymous with "phone line." While we take it for granted today, a phone line is a wire provided by one company that allows you to choose who you call, whether they are using the same telephone

provider you use or not.

Many large telecom companies want to change that for Internet
connections. They want a regulatory framework that allows them to
throttle who they want, when they want, and to be able to charge content
providers for the privilege of delivering that content at a usable
speed. Doing so would greatly enhance their profits while greatly
degrading the free flow of information.

Mark Taylor of Level3 wrote a blog post titled Observations of an
Internet Middleman, discussing Internet connectivity for its customers,
as well as for consumers. Level 3 is one of Tier 1 Internet service
providers, which in highway system terms means they build and maintain a
good portion of the interstates used to help make the information
superhighway a truly global enterprise. There is a TON of information
here that is pretty in-depth if networking isn t really your jam, but
I m going to give you the good bits. Here goes:

Level 3 is a company that helps connect the world, from my house to the
TMO website to post this, from your house to the site so you can read it.
Level 3 doesn t manage the connection from the street to the house
though; they re connecting ISPs to their network, which is connected to
other networks, which is how I can gain access to any site around the
world.

Each of these networks agrees to connect to other networks, and that
agreement is called peering. As usage increases, sometimes portions of
the network will max out. This is mentioned in the post, saying that
currently Level 3 has 51 peers, and 12 of those have congested ports ,
where the traffic saturates the connection 90 percent or more. Six of
those are currently being upgraded and Level 3 is working with the other
peers on getting it done.

Net who to the what now?

You may notice that leaves six maxed-out connections, and here s where it
gets interesting. Peering agreements are also made with companies selling
broadband to consumers. That part where broadband runs to the house is
the last mile part that has had a lot of discussion lately. This is the
part controlled (in the US) by companies like Time Warner Cable, Verizon,
and Comcast. And it doesn t appear they re doing a very good job of it.
Here s a section of the post:

That leaves the remaining six peers with congestion on almost all of the
interconnect ports between us. Congestion that is permanent, has been in
place for well over a year and where our peer refuses to augment
capacity. They are deliberately harming the service they deliver to their
paying customers. They are not allowing us to fulfill the requests their
customers make for content.

Five of those congested peers are in the United States and one is in
Europe. There are none in any other part of the world. All six are large
Broadband consumer networks with a dominant or exclusive market share in
their local market. In countries or markets where consumers have multiple
Broadband choices (like the UK) there are no congested peers.

In short: You are paying for broadband that sucks, and that isn t
changing. It isn t like upgrades aren t possible, I just looked up
earnings and Comcast made US $17.4 billion in Q1 of 2014, Time Warner
made $5.58 billion. I am not a broadband engineer but I have a hunch it

wouldn t cost anywhere near ONE billion to upgrade a pipe or two and ease some of that congestion. But why would they, when there s no reason to? It isn t like there s competition most places, so what does it matter if your broadband sucks?

Another Level 3 blog post from March titled Chicken talks about some of these last mile providers, and what makes net neutrality such a big deal. So big in fact that Level 3 filed a brief with the FCC about it.

So now that I ve outlined all the shenanigans around broadband, what s a person to do about it? Well there s a few things.

First, you can sign the Net neutrality petition at Whitehouse.gov and remember, at 100,00 signatures, the White House must respond.

Send email to openinternet@fcc.gov (that link fills it all in for you) to express your concern about the need for an open Internet. Contact your representatives and tell them too. Below is an easy copy/paste email for the contact forms:

Hello,

I am writing to you regarding the current issues around net neutrality. I believe Internet access is a necessity of modern life, and it is going to be restricted by the current fast lane proposal by the FCC. Now ISPs have monopolies in many areas and want to be paid even more than they already are to maintain current levels of access, which would be considered substandard in most of the rest of the world. There is no reason for ISPs to modify traffic speeds or give preferential treatment to any group aside from further profit.

There are a number of suggestions from FreePress.net on their Net Neutrality site. Choose what you can do, from sending an email to coordinating volunteers or meeting with your representatives.

When you get your cable bill each month, there is a Local Franchise Authority listed on it. You can call them and complain. This is the organization that grants monopoly authority to broadband providers, and can take it away.

Each of these may not seem like much for just one person, but what if you did it and asked someone else to call or email too? That s twice as many people right there. And if they tell two friends, and so on, then maybe something will actually change for the better.

Senator Al Franken Is Desperately Trying To Save Net Neutrality

Senator Franken says net neutrality "is the free speech issue of our time."

Senator Al Franken is not a fan of the FCC's new "Fast Lane" policy, and he's taken to YouTube to get you on the net neutrality train.

In conjunction with the Progressive Change Campaign Committee, Franken has taken to the camera to declare, in no uncertain terms, that the FCC's new "fast lane" policy (which allows large content-creating corporations to pay large telecommunications providers large sums of money for faster

broadband throughput) is not in the best interest of the American taxpayers.

"We cannot allow the FCC to implement a pay-to-play system that silences our voices, and amplifies that of big corporate interests," Franken says. "We've come to a crossroads. Now is the time to rise up and make our voices heard to preserve net neutrality. We paid for a free and open Internet. We can't let it be taken away. We have to win this [fight], and we have to win this now."

Dramatic? A little, perhaps, but Senator Franken is not one to tolerate trampling of the Internet. He's still trying to kill the TWC-Comcast merger, after all.

Amazon.com Joins Microsoft in Opposing FCC s Internet Fast Lanes

Internet companies including Amazon.com Inc., Google Inc., Netflix Inc. and Microsoft Corp. in a letter said they oppose a U.S. regulator s call for allowing companies to pay for fast lanes on the Internet.

The companies said the rules may let phone and cable providers discriminate both technically and financially against Internet companies and impose new tolls on them.

Federal Communications Commission Chairman Tom Wheeler has proposed letting service providers such as AT&T Inc. and Comcast Corp. negotiate deals with content makers for quicker and more reliable delivery of their video and other fare.

Wheeler has said the idea doesn t abandon the FCC s Internet fairness policy, commonly known as net neutrality. His proposal is set for an initial vote at the FCC on May 15.

 This represents a grave threat to the Internet, the companies said in the letter addressed to Wheeler and the four other FCC commissioners, and distributed by e-mail.

The FCC should protect users and Internet companies against blocking of Web traffic, discrimination and paid prioritization, the companies said.

A court in January threw out FCC rules designed to ensure Web traffic is handled fairly, and the agency is seeking new rules. The vote next week will commence a comment period, and Wheeler has said he wants a final decision this year.

Advocacy groups including Public Knowledge and Free Press that have supported rules to prevent Internet-service providers from unfairly blocking or slowing Web traffic - known as net neutrality - said payment arrangements won t protect Internet users.

FCC Commissioner Jessica Rosenworcel, who like Wheeler is part of the agency s Democratic majority, today called for a delay of the vote by at least a month.

 I have real concerns about FCC Chairman Wheeler s proposal on network neutrality, Rosenworcel said in a remarks in Washington today. The proposal has unleashed a torrent of reaction and rushing headlong into

a rulemaking next week fails to respect the public response, she said.

Companies signing the letter included Amazon, the largest Internet
retailer; Netflix, the biggest online-video subscription service; and
Microsoft, the largest software maker.

Also listed as signing were EBay Inc., the top online marketplace; Yahoo!
Inc., the largest U.S. Web portal; and the Twitter Inc. messaging
service.

Google, Facebook Strike Back Against FCC Plans To Reshape The Internet

After years of setbacks, the supporters of net neutrality have begun a
full-throated counterattack this week. On Wednesday, 150 tech companies
including Google, Facebook, Twitter, Amazon, and Netflix asked the
Federal Communications Commission to preserve a core principle that has
guided the Internet s exponential growth since its advent decades ago.

At issue are new FCC rules announced last month that allow Internet
providers such as Verizon, Comcast, and AT&T to treat some content on the
Internet differently. For example, they can create "fast lanes" that will
move content across the Internet more quickly, but companies like Google
and Facebook will have to pay to use it. This, critics say, is a
violation of net neutrality, in which all content   whether it's a
Netflix stream or an e-mail to grandma   is treated the same.

Internet providers such as Comcast say it's common sense that companies
that make more demands on their networks   like Netflix   should pay more
for quicker service. Critics say this would turn the Internet   one of
the greatest engines of innovation and freedom in the 21st century   into
the playground of the highest bidders.

So far, tech companies have been curiously quiet as the FCC has moved
toward granting Comcast, Verizon, and the rest their wishes. But the open
letter marks tech companies' growing concerns. The proposed new rules
represent a grave threat to the Internet, these companies wrote.

 The innovation we have seen to date happened in a world without
discrimination, the letter continued. An open Internet has also been a
platform for free speech and opportunity for billions of users . Instead
of permitting individualized bargaining and discrimination, the
Commission s rules should protect users and Internet companies ... against
blocking, discrimination, and paid prioritization, and should make the
market for Internet services more transparent.

The commission s new rules came after federal courts struck down the FCC s
previous regulations, which protected an open Internet. In January, a
federal judge ruled the FCC lacked the statutory power to forbid Verizon
from creating a fast lane. In 2010, another federal judge ruled the agency
could not forbid Comcast from slowing down certain file-sharing sites that
were deluging its networks.

But Wednesday's letter, as well as the intensity of protests from consumer
and social advocates in recent weeks, have begun to have an effect on the
FCC s board of five commissioners. Two of the Democrats on the commission
have begun to express doubts about the proposal   though neither has
rejected it.

On Wednesday, Commissioner Jessica Rosenworcel called for the agency s chairman, Tom Wheeler, to postpone next week s vote on the new rules.

 His proposal has unleashed a torrent of public response, Ms. Rosenworcel said Wednesday in a speech in Washington. Tens of thousands of e-mails, hundreds of calls, commentary all across the Internet. We need to respect that input and we need time for that input. So while I recognize the urgency to move ahead and develop rules with dispatch, I think the greater urgency comes in giving the American public opportunity to speak right now, before we head down this road.

The other Democrat on the commission, Mignon Clyburn, also noted the overwhelming negative response to the proposed new rules, citing more than 100,000 letters from a host of Americans to keep the Internet free and open.

 There is no doubt that preserving and maintaining a free and open Internet is fundamental to the core values of our democratic society, Mr. Clyburn wrote in a blog post on the FCC site Wednesday. [And] I have an unwavering commitment to its independence.

An FCC spokesman said Wednesday that Chairman Wheeler intended to keep the May 15 vote to move the proposal forward. According to FCC rules, the commission can no longer accept public input a week before next Wednesday s vote, which means lobbyists and other interested parties may no longer offer opinions beginning Thursday.

Wheeler has rejected claims that the new rules gut net neutrality. The commission would allow a fast lane in commercially reasonable circumstances, which would be subject to a case-by-case review.

The two Republicans on the commission support the end of the net neutrality principle and support the idea that its demise will spur to greater investment in the Internet s hard-wire networks.

 When Congress told us to encourage broadband deployment by removing barriers to infrastructure investment, it also established the policy of the United States to preserve the vibrant and competitive free market that presently exists for the Internet ... unfettered by Federal or State regulation,   said Ajit Pai, one of the commissioners, in a February statement. Whatever the Commission does as it moves forward, it must take that statutory command to heart.

Google and NSA: Friends With Benefits?

For all those denials of carrying out governance surveillance, Google's relationship with the National Security Agency (NSA) is reportedly closer than first thought.

Google and NSA: Friends with benefits?

That was the picture put across by the Al Jazeera news network, which yesterday published a batch of emails between the two, highlighting not only the friendly communication but also the growing collaboration.

After submitting a Freedom of Information (FOI) request, the news network

obtained two groups of emails from 2012 - a year before the leaks from former CIA contractor Edward Snowden, and these appear to indicate that senior executives from the Silicon Valley search giant conversed with NSA officials on a regular basis.

NSA Director General Keith Alexander emailed Google co-founder Sergey Brin and executive chairman Eric Schmidt about a secret government program known as the Enduring Security Framework (ESF). The initiative seems innocuous enough, inviting companies and the government to work together on security issues.

As one example, an email from Alexander on 28 June 2012 requested Schmidt to attend a half-day classified threat briefing a month later at a secure facility near the San Jose, California airport. The meeting was to be focused on mobility threats and security , although Schmidt was unable to attend and politely declined.

This would likely put paid to the idea then that the NSA could, perhaps, have met with Google in a bid to secretly capture data about Google service users, even if chairman Schmidt is widely-reported to support government surveillance

Crytography guru Bruce Schneier, formerly of BT but now at Co3 Systems, told SCMagazineUK.com that it's hard to tell if the NSA and Google are more than friends.

 I think the Al Jazeera headline is slightly hyperbole, said Schneier, who added that there was no smoking gun' in the documentation. It's hard to tell if they're really close or if they're just talking to each other.

?Schneier - who spoke for the need for encryption in light of government surveillance at the recent RSA conference - added that it's troubling that Google didn't detail this publicly (he admitted though that they may have been sworn to secrecy) and urged companies to be more transparent.

 The more transparent you can be, the better, said Schneier, who claimed that we're now in a world of extraordinary mistrust'.

Caspar Bowden, an independent security researcher who predicted PRISM in a report to the European Parliament back in 2012 - added that the implication of devious activity would hurt Google the most.

 The NSA has tried to tighten their embrace of strategic technology companies under a 'cyber-security' banner since 2008, he told SCMagazineUK.com.

 These emails reveal no smoking gun, but the larger strategy carries the 'enduring' implication that NSA will have access to a perpetual pipeline of exploitable vulnerabilities, before they are fixed and disclosed.

Bowden added that while cloud companies have not yet been asked to trawl data under the law underlying PRISM (FISA 702), that could change.

 So far it appears cloud companies have not been asked to trawl through all their account data looking for keywords, but that same power has been extensively used on data carried by telcos, he added.

 This is a critical point in determining whether PRISM can be used in future for far more extensive direct mass-surveillance of cloud data. The

public should know what discussions have taken place.

In Google's defence, meetings like these appear to be a fairly regular occurrence, as the NSA often has intimate relationships with companies to build awareness on the latest security threats.

In the email sent to Brin and Schmidt, Alexander detailed how Google, Apple and Microsoft worked together with the NSA to develop a set of core security principles'.

 A group (primarily Google, Apple and Microsoft) recently came to agreement on a set of core security principles, reads the email, which goes onto ask for CEO briefings on specific threats we believe can be mitigated'.

Citing six people who have been involved with these discussions, The Information newswire said that the companies would often meet to discuss state-sponsored cyber threats, data breaches and how they would assist the government in the event of a cyber war. Indeed, one of the emails obtained by Al Jazeera suggests that Intel, AMD, HP, Dell and Microsoft worked with the NSA to foil a BIOS threat from China.

 In recent years, top executives from U.S. technology giants such as Google, Microsoft and Intel routinely filed into a secured room deep inside the bowels of the National Security Agency's headquarters in Fort Meade, Md, reads the The Information article.

 During the visits, which continue today, the NSA and other U.S. government agencies provide classified, top secret intelligence about existing and potential cyber threats to company systems from foreign government attackers, such as China, Russia and Iran.

David Lacey, futurologist at IOActive, agrees that this meeting is likely a regular occurrence, misconstrued as something more sinister.

 It's essential for government security authorities to brief major vendors on security threats. I'd be worried if there was no such communication. And why the convoluted cover story? If NSA had a secret dialogue I doubt they would regularly email the CEO, he told SCMagazineUK.com.

Google has, officially, emphasised numerous times that it does not collaborate with the NSA's PRISM program.

In fact, the search giant last year filed a legal form to complain about the media regularly linking the two parties.

"Google's reputation and business has been harmed by the false or misleading reports in the media, and Google's users are concerned by the allegations," read the filing. "Google must respond to such claims with more than generalities.

Twitter Revamps Security To Fight Account Hijackings

To better protect its users from having their accounts pirated, the social network Twitter has announced two new measures: a simplified password reset procedure and enhanced identity verification during

suspicious login attempts.

Twitter users can now reset their passwords at any time by requesting a special confirmation code, which they can choose to receive either by email or text message. Having a choice between the two methods should come in handy for people who no longer use the email address they signed up with.

In addition, Twitter has introduced personalized questions that only the account holder can answer as a means of verifying identity during suspicious log-in attempts, such as those from a new device or IP address, for example.

Updates to the email or phone number linked to an account can be made in Twitter s settings.

Oracle Can Pursue Claim That Google Copied Java, Court Says

Oracle Corp. won a U.S. appeals court bid to revive claims that Google Inc. copied its Java programming language to develop the Android operating system, in a case that split Silicon Valley.

The shortcuts created by Java to perform basic functions like connecting to the Internet are eligible for copyright protection, the U.S. Court of Appeals for the Federal Circuit in Washington ruled today. The court reinstated a jury s 2012 finding that Google infringed the copyrights, and remanded the case to let Google argue that it had fair use of the technology.

Oracle, the largest database-software maker, had sought more than $1 billion in damages, claiming Google used Java code without paying because it was in a rush to create Android, which has become the world s most popular smartphone platform. The case divided the industry between companies that write interface code and those that rely on it to develop software programs.

The decision is a win for Oracle and the entire software industry that relies on copyright protection to fuel innovation and ensure that developers are rewarded for their breakthroughs, Oracle General Counsel Dorian Daley said in a statement.

Software makers Microsoft Corp., NetApp Inc. and EMC Corp. filed arguments supporting Oracle. Rackspace Hosting Inc., a group of computer scientists and the Application Developers Alliance sided with Google, saying the specific tools in the case are little more than directions without creativity.

 A set of commands to instruct a computer to carry out desired operations may contain expression that is eligible for copyright protection, Circuit Judge Kathleen O Malley wrote for the three-judge panel. An original work - even one that serves a function - is entitled to copyright protection as long as the author had multiple ways to express the underlying idea.

Matt Kallman, a spokeswoman for Google, had no immediate comment.

The dispute centered on application programming interfaces, code that

lets programmers take advantage of functions already built into an operating system, such as securing data, drawing on-screen graphics or communicating with other devices. Developers using Java wouldn t have to create a new formula for those features, saving time and money while they focused on other aspects of writing the operating system.

Sun Microsystems Inc., which created Java in the mid-1990s, allowed it to be freely available to developers, though it had a pricing structure for when the code was used for commercial purposes. Oracle agreed to buy Sun in 2009 for $7.4 billion and sued Google a year later.

Oracle sought as much as $6.1 billion in damages from Google before the estimate was thrown out by the judge ahead of trial. It could still seek more than $1 billion.

The Redwood City, California-based company claimed that, by using the Java code, Google preempted Oracle s ability to use Java for its own platform for mobile devices.

 We are extremely pleased that the Federal Circuit denied Google s attempt to drastically limit copyright protection for computer code, Oracle s Daley said in a statement. We are confident that the district court will appropriately apply the fair use doctrine on remand, which is not intended to protect naked commercial exploitation of copyrighted material.

Google, based in Mountain View, California, said the code constitutes fundamental programming interfaces used by the entire industry for free. It accused Oracle of trying to backpedal on Sun pledges that Java would remain free.

The Federal Circuit, which specializes in patent law, heard the case because Oracle also had claimed patent infringement. Oracle isn t appealing the jury loss on that issue.

The case is Oracle America Inc. v. Google Inc., 13-1021, U.S. Court of Appeals for the Federal Circuit (Washington). The lower court case is Oracle America Inc. v. Google Inc., 10cv3561, U.S. District Court for the Northern District of California (San Francisco).

Symantec Says Antivirus Is Dead

In a piece first reported by the Wall Street Journal, Brian Dye, Symantec s senior vice president of information security, called the traditional concept of the anti-virus dead.

The Symantec Corporation is best known for their Norton Antivirus suite of protection software that has, to many, been synonymous with the term anti-virus. Anti-virus products traditionally work by preventing hackers from accessing your computer, but according to experts like Mr. Dye, hackers often get in anyway. Dye claims anti-virus only catches about 45 percent of attacks.

New cybersecurity technologies have been moving towards the direction of detect and respond rather than prevention. The assumption is that hackers can already break through security, so steps are taken to minimize the damage they can do. Some security companies suggest

utilizing fake data to distract hackers. Others assume hackers will
succeed in stealing sensitive data, and the protection comes in making
the stolen data difficult to use.

Symantec is actually lagging behind in this front. Competitors such as
McAfee have already moved in this direction. Michael Fey, McAfee s chief
technology officer, acknowledges Symantec s tardiness to the frontlines
of the cybersecurity war by saying, They haven t been part of the
thought-leader group for some time.

Dye said, It s one thing to sit there and get frustrated. It s another
thing to act on it, go get your act together and go play the game you
should have been playing in the first place.

Consumer grade anti-virus products make up more than 40 percent of
Symantec s revenue. In contrast, specialized services for businesses only
make up less than 20 percent. Ted Schlein, who has been with the company
since Symantec s first anti-virus software, calls the consumer
technology necessary but insufficient. The Norton security suite has
already expanded to include other security features, such as a password
manager, spam blockers and ways to scan for malicious links on one s
Facebook feed.

The company has no plans to totally abandon the Norton Antivirus suite,
but they will seek to find financial growth in new products. If
customers are shifting from protect to detect and respond, the growth is
going to come from detect and respond, said Dye.

How Computer Viruses Get Their Names

Heartbleed, Melissa, Klez, Nimda, and Sasser. All of these
innocent-sounding words could ruin your computer, steal your information,
and impact your digital life forever. These computer viruses and system
vulnerabilities are the best at what they do: breaking stuff. But how did
these terrors get their names?

There s no one standardized way to name viruses. These aren t
hurricanes; there s no master list to turn to, and no authority that
watches over them to regulate how they re dealt with. Instead, there are
three main avenues for virus naming: when the name is given to the virus
as part of its programming; when the vector by which the virus is spread
determines the name; and when a vulnerability is found and then named
after the fact, usually by its discoverer.

Historically, back when viruses got around mainly through the forwarding
of emails, the name of the threat would be based on the filename of the
attachment.

One of the worst viruses ever seen was called ILOVEYOU. It spread like
wildfire because of the pleasant sounding email subject and attachment
(Love-letter-for-you.txt) The happy attachment turned out to be malicious
code that overwrote existing files with copies of itself.

Koobface and Vundo were named after the method by which they were spread.
Koobface, an anagram of Facebook, was a worm that spread through the
social media site. Vundo was a combination of Virtual and Mundo (world
in Spanish), and it spread through virtual communities.

Then there are vulnerabilities like Heartbleed. Heartbleed was a bug found in the OpenSSL encryption service. The line of code that contained the glitch was CVE-2014-0160 not exactly the most memorable name. Ossi Herrala, a system administrator at Codenomicon (the company that found the bug) came up with the name. Vocativ reported that Herrala thought it was fitting to call it Heartbleed because it was bleeding out the important information from the memory. Because Heartbleed was such a terrible bug security expert Bruce Schneier ranked it an 11 on a scale of 1 to 10 it needed solid branding to get the attention it deserved. The catchy named Heartbleed, linked with the bleeding-heart logo and a user-friendly website, was the perfect combination of marketing. It received the attention it needed, causing thousands of affected websites to construct patches and users to change passwords in record time.

As for some of the kookier-named viruses, there s always a story behind it, usually as unique as the program itself. Melissa, one of the fastest-spreading viruses ever, was named after a stripper programmer David Smith met in Florida.

The Michelangelo virus would activate only on March 6, the artist s birthday. Many have taken on the name of the celebrity whom you are promised naked pictures of   if only you click on a suspicious link. Some virus names are just glorification for their developers: Samy Kumar named the Samy Worm after himself, and the CIH virus is the initials of its developer, Chen Ing Hau.

Regardless of how delightful a virus s name is, be sure to run virus screenings regularly, and back up your data. ILOVEYOU affected over 50 million people and cost the U.S. $15 billion to remove.

Chromebooks Looking To Replace PCs By Going Offline

Google is adding more features to Chromebook applications so that they can be used without accessing the Web, addressing a common complaint among users who want the laptops to function more like traditional PCs.

Although Web use remains a central feature of Chromebooks, Google recently added the ability to edit videos and watch full movies offline, for instance. A shorter update cycle means that the company can be more responsive to user demand.

 The platform has evolved and keeps improving, said Caesar Sengupta, vice president of product management for Chromebooks at Google. It is an OS that updates every six weeks. It keeps getting better.

Chromebooks can be used for far more offline purposes than two years ago and cloud services also mean they are a more viable alternative to traditional PCs, Sengupta said. The retailer Woolworths, for instance, has adopted Chromebooks over PCs for employee use.

 As the ecosystems evolve, more and more developers are writing apps using Chrome APIs so they work offline, he said.

Google is targeting Chromebooks specifically at users who want to replace PCs with Windows XP, which is no longer supported by Microsoft. Google and partners are offering discounts to those who want to replace XP PCs

with Chromebooks. Google has marked applications that can work offline in its Chrome Apps store and more applications are being added to that list, Sengupta said.

 The world has changed, you re looking at different kind of [computing] needs than XP, Sengupta said.

Beyond software, Chromebooks are also going to be faster to speed up gaming, videoconferencing and other tasks.

Chromebooks with Intel s Core i3 processors, which is at the midrange of chips that go into Windows laptops, will be out this year from Dell and Acer. Google and Intel this week announced laptops from Lenovo, Asus and Toshiba, and expect 20 models to be available by the end of the year.

But cloud-based services and features remain central to Chromebooks, so Google is populating Chromebooks with features that make more Web services accessible. One new addition is Google Now, which uses voice activation to let users get news, make a phone call, schedule an appointment, or map a location. The feature is in Android-based smartphones and tablets, and much like Apple s Siri, uses speech recognition to process requests.

Google is also looking to put the Chrome OS into the mini-desktop Chromebox and also digital-signage products that update automatically, Sengupta said.

More remote management and virtual desktop tools are also being added so the computers can be remotely managed more effectively in corporate environments.

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